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Lead Counsel for the Indirect-Purchaser Plaintiffs

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

IN RE CATHODE RAY TUBE (CRT)	)	MDL NO. 1917
ANTITRUST LITIGATION)	
_____	)	Case No. 07-cv-5944-JST
)	
This Document Relates to:	)	DECLARATION OF GERARD A.
	)	DEVER IN SUPPORT OF INDIRECT
Indirect Purchaser Class Action	)	PURCHASER PLAINTIFFS' RESPONSE
	)	TO IRICO DEFENDANTS' MOTION IN
	)	LIMINE NO. 7
)	
	)	Hearing Date: December 15, 2023
	)	Time: 2:00 p.m.
	)	Courtroom: 6, 2nd Floor
)	
_____	)	The Honorable Jon S. Tigar

I, Gerard A. Dever, hereby declare and state as follows:

1. I am a member of the law firm Fine, Kaplan and Black, R.P.C., counsel for the Indirect Purchaser Plaintiffs (“Plaintiffs”) in the above-captioned action currently pending in the U.S. District Court for the Northern District of California. I am a member in good standing of the bar of the Commonwealth of Pennsylvania and I am admitted *pro hac vice* to practice before this Court. I submit this Declaration in support of Plaintiffs’ Response to Irigo Defendants’ Motion *In Limine* No. 7: to exclude evidence or inflammatory language regarding the guilty plea by Samsung SDI Company, Ltd.

2. Attached hereto as **Exhibit 1** is a true and correct copy of SDCRT-0086672-74 and a certified translation (SDCRT-0086672E-74E), which is Samsung SDI meeting notes documenting “The Chinese Industry Meeting (August)” in August 1999, attended by Irigo, Samsung SDI, and other CRT manufacturers.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on September 1, 2023, in Philadelphia, Pennsylvania.

Dated: September 1, 2023

By: /s/ Gerard A. Dever

Gerard A. Dever
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Counsel for Indirect Purchaser Plaintiffs

EXHIBIT 1

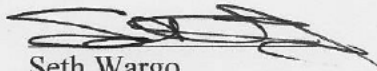


STATE of NEW YORK)
)
COUNTY of NEW YORK) SS:


CERTIFICATE OF ACCURACY

This is to certify that the attached document, "SDCRT-0086672 – SDCRT-0086674", originally written in *Korean*, is to the best of our knowledge and belief, a true, accurate and complete translation into *English*.

Dated: November 4, 2013


Seth Wargo
Consortra Translations

Sworn to and signed before ME this
4th day of November,
2013.


Notary Public

JAMES G MAMERA
Notary Public, State of New York
No. 01MA6157195
Qualified in New York County
Commission Expires Dec. 4, 2014

Your
legal
translation
partner 

China Same Industry Meeting (August)

- ☐ Time: August 5, 1999
- ☐ Place: Hyunmu Restaurant in Nanjing, China
- ☐ Participants:
- PHILIPS: Su Hwa Lee, FRANK, Young Ma, Dong Yoo, Sa Chun illegible
 - IRICO: Ui Seng Lee, Mr. Sa, So Kul Wang
 - SSDD: Myung Sik Lee, Jin illeible
 - ORION: Jung Seng Park, Myung Hak Oh
 - CPT: C.C. LIU, Kyung Song, illegible, Ui Yul Seo
 - BMCC: Shin Moon Hwang

☐ Major contents

1. Special lecture by MR. C.C.LIU (CPT headquarters administrator)

- 1) The industry meetings should remain confidential considering the international regulation of antitrust laws
- 2) F/UP on China regarding the top meeting decision
- 3) Discussions focused on 14"/15" prices

July PSI for each company and August plan (Refer to Attachment 1 for details)

- PHILIPS: 14" → 17" to take place next February, production expected in March (14/17" dual)
- CPT: 2 17" lines expected in August and September of next year
 - ☞ Current domestic customers: AOC, PHILIPS, EMC, AND ACER
- IRICO: 17" production to start the year after next year
 - 15" MAX CAPA = 120K/M (P + F + DY domestic production)
- BMCC: 14" expected to resume in September
- ORION: 14"/15" AOC sales decrease

2. Production of monitors in China in the 1st half of '99 (Refer to Attachment 2)

3. Price issues (based on MPR II): bottom price for key accounts

SIZE	August		September	
	Export price	Domestic price	Export price	Domestic price
14"	\$52	RMB540	\$52	RMB561
15"	\$68	RMB707	\$68	RMB illegible
17"	\$93	RMB967	\$93	RMB 1,004

Highly Confidential

Subject to Protective Order

U.S.D.C. (N.D. Cal) No. M-07-5944 SC

In re Cathode Ray Tube (CRT) Antitrust Litigation

FINAL TRANSLATION

SDCRT-0086672E_Translation

☐ Attachment 1 PSI and August Plan for companies

Customer	SIZE	July					August					Remarks
		Production		Sales		Inventory	Production		Sales		Inventory	
		Total	Domestic	Export	Total		Domestic	Export				
PHS	14"	65	82	50	32	2	65	65	45	20	2	
	15"	57	63	63		3	61	62	62		2	
	15" *		121		121			90		90		
	17" *		72	40	32			80	30	50		
CPT	14"	148	181	10	171	57	160	176	10	166	41	
	14" *		50		50			70		70		
	15"	159	161	76	85	25	160	159	65	94	26	
	15" *		406		406			348		348		
	17" *		416		416			482		482		
BMCC	14"	0	27	27		8				1	7	
	15"			87								
IRICO	15"	80.5	87			18.5	85	80	80		23.5	
ORION	14" *		10		10			20		20		14" reduced
	15" *		30		30			70		70		
	17" *		25		25			30		30		
SDD	14"		123	40	83		165	165	55	110		
	15"	120	120	50	70		150	150	70	80		
	15" *		230		230			230		230		
	17" *		230		230			230		230		
	17" (SKD)	10				10						
LG	14" *											
	15" *											
TTL	14"	213	413	127	286	67	390	406	110	297	50	
	14" *	0	60	0	60	0	0	90	0	90	0	
	15"	416.5	431	276	155	46.5	456	451	277	174	51.5	
	15" *	0	787	0	787	0	0	738	0	738	0	
	17" *	10	743	40	703	10	0	822	30	792	0	

Asterisk: Non-originating monitors

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☐ Attachment 2 Monitor production in China in the 1st half of '99

NO	品名	14"	MAIN	15"	MAIN	17"	MAIN	19"	MAIN	TTL
1	AOC	850	C/P/O	880	C/P/O	467	L/P/C	28		3,025
2	EMC	285	S/C	800	S/C	450	S/C	70		1,405
3	LITE-ON	137	C	510	C	663	C	1		1,311
4	PHS(金華)	238	P	557	P/C	394	P/C	1		1,190
5	ADI	210	S	730	S/T	110	H/T	0		1,030
6	COMPAL	11	C	398	C/S	345	C/S	0		752
7	MFG	0		367	S	166	T/H	7		540
8	TSED	55	S	410	S/T	60	S/T	0		525
9	MAG	30	S	230	S/SY	230	T/SY/S	0		480
10	ROYAL	0		0		410	L/TE	13	L	423
11	ACER	91	P/C	237	P/C/S	79	P	0		407
12	PHS(華北)	36	C/P	193	C	155	C/M	0		384
13	IRICO	50	P	280	I/P	20	P/C	2		352
14	DELTA	0		80	T	250	S/C/L	10		320
15	CGC	145	S/P/M/L	100	L/P	0		0		245
16	DAEWOO(W)	40	S	194	I/S	6	S	0		240
17	Q-RUN	10	S	78	C/S	139	C/S	7		234
18	K-TRON	170	C	29	C	3	C	0		202
19	FIC	15	S/C	100	L	60	L/P/C	5		180
20	GVC	20	S	65	S/C/L	17	L/C	0		150
21	SP-T	45	S	79	S/C	0		0		145
22	XOCECO	60		0	S/L	20	C	0		145
23	KPC	8	P	40	S/C	41	L	0		128
24	WESTLAKE	0	L	80		110	MIT			110
25	T-SOMA	60	P	40	P	0		0		100
26	LG(TONTRU)	10	L	80	L	10	L			100
27	FOUNDER	50	B/P	40	I/P	0				90
28	JIANSONG	0		78	C	0				78
29	KTC	60	B/S	10	I	0				70
30	KSAL	47	S	18	S/I	2	S			67
31	HEMC	12	S	53	S	0				65
32	LIRON	30	S	30	L/S	0				60
33	DTS	40	P	20	P	0				60
34	LANGUANG	40	O/P	15	L	0				55
35	YUAN ZIN	10	S	22	L	17	L			49
36	COVEFORD	15		15		12				42
37	BIGHTIDE	0		35	P	0				35
38	GUANLI			24		0				
39	OTHERS	20		10		2				32
TOTAL		2,690		6,798		4,238		144		13,870
%		18%		49%		30.56%		1.04%		

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* S→SDD, C→CPT, P→PHILIPS, B→BMCC, O→ORION, T→TOSHIBA, L→LG,
MIT→MITSUBISHI, M→MASUSHITA, H→HITACHI, TE→TECO

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In re Cathode Ray Tube (CRT) Antitrust Litigation
FINAL TRANSLATION

SDCRT-0086674E_Translation

중국 동업계 Meeting (8월)

☐ 時 間: 1999/08/05

☐ 場 所: 中國 南京, 玄武大酒店

☐ 參席人員:

-PHILIPS 李修華, FRANK, 馬冰, 劉東, 魏思泉

-IRICO 李衛生, MR.沙, 王昭杰

-SSDD 李明植, 楊真

-ORION 朴正生, 吳明學

-CPT C.C.LIU, 呂鏡松, 余偉列

-BMCC 黃新文

☐ 主要 내용

1. MR. C.C.LIU (CPT 본사 업무처장) 특강

- 1) 독과점 금지의 국제 법규를 고려, 동업계 Meeting 비밀 유지
- 2) Top Meeting 결정에 대해 중국대륙 F/UP
- 3) 14" / 15" 가격 중점 논의

2. 7월 업체별 PSI 및 8월 계획 (상세 내용 첨부1 참조)

- PHILIPS: 14" → 17" 내년 2월 개조, 3월 생산 예정(14/17" 겸용)
- C P T : 17" 2 Line 내년 8~9월 예정
 - ☞ 현재 내수판매처; AOC, PHILIPS, EMC, ACER
- IRICO : 17" 생산 내년이후로 연기
 - 15" MAX CAPA = 120K/M (P +F +DY 국산화)
- BMCC : 14" 9월 재개 예정
- ORION : 14"/15" AOC 판매 감소

3. '99 상반기 중국 MONITOR 생산 실적 (첨부 2 참조)

4. 가격문제(MPR II 기준); Bottom Price For Key Account

SIZE	8월		9월	
	수출가	내수가	수출가	내수가
14"	\$52	RMB540	\$52	RMB561
15"	\$68	RMB707	\$68	RMB780
17"	\$93	RMB967	\$93	RMB1,004

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□ 첨부 1. 7월 업체별 PSI 및 8월 계획

거래선	SIZE	7월					8월					비고
		생산	판 매			재고	생산	판매			재고	
			총계	내수	수출			총계	내수	수출		
PHS	14"	65	82	50	32	2	65	65	45	20	2	
	15"	57	63	63		3	61	62	62		2	
	15" *		121		121			90		90		
	17" *		72	40	32			80	30	50		
CPT	14"	148	181	10	171	57	160	176	10	166	41	
	14" *		50		50			70		70		
	15"	159	161	76	85	25	160	159	65	94	26	
	15" *		406		406			348		348		
	17" *		416		416			482		482		
BMCC	14"	0	27	27		8				1	7	
	15"			87								
IRICO	15"	80.5	87			18.5	85	80	80		23.5	
ORION	14" *		10		10			20		20		14" 감소
	15" *		30		30			70		70		
	17" *		25		25			30		30		
SDD	14"		123	40	83		165	165	55	110		
	15"	120	120	50	70		150	150	70	80		
	15" *		230		230			230		230		
	17" *		230		230			230		230		
	17" (SKD)	10				10						
LG	14" *											
	15" *											
TTL	14"	213	413	127	286	67	390	406	110	297	50	
	14" *	0	60	0	60	0	0	90	0	90	0	
	15"	416.5	431	276	155	46.5	456	451	277	174	51.5	
	15" *	0	787	0	787	0	0	738	0	738	0	
	17" *	10	743	40	703	10	0	822	30	792	0	

표시는 역외산 의미함

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□ 첨부 2. '99 상반기 중국 MONITOR 생산 현황

NO	회사	14"	MAIN	15"	MAIN	17"	MAIN	19"	MAIN	TTL
1	AOC	650	C/P/O	880	C/P/O	467	L/P/C	28		2,025
2	EMC	285	S/C	600	S/C	450	S/C	70		1,405
3	LITE-ON	137	C	510	C	663	C	1		1,311
4	PHS(소주)	238	P	557	P/C	394	P/C	1		1,190
5	ADI	210	S	730	S/T	110	H/T	0		1,050
6	COMPAL	11	C	396	C/S	345	C/S	0		752
7	NPG	0		367	S	166	T/H	7		540
8	TSED	55	S	410	S/T	60	S/T	0		525
9	MAG	20	S	230	S/SY	230	T/SY/S	0		480
10	ROYAL	0		0		410	L/TE	13	L	423
11	ACER	91	P/C	237	P/C/S	79	P	0		407
12	PHS(동관)	36	C/P	193	C	155	C/M	0		384
13	IRICO	50	P	280	I/P	20	P/C	2		352
14	DELTA	0		60	T	250	S/C/L	10		320
15	CGC	145	S/P/B/O/L	100	L/P	0		0		245
16	DAEWOO(W)	40	S	194	I/S	6	S	0		240
17	Q-RUN	10	S	78	C/S	139	C/S	7		234
18	K-TRON	170	C	29	C	3	C	0		202
19	FIC	15	S/C	100	L	60	L/P/C	5		180
20	GVC	20	S	65	S/C/L	17	L/C	0		150
21	SP-T	45	S	79	S/C	0		0		145
22	XOCECO	60		0	S/L	20	C	0		145
23	KFC	8	P	40	S/C	41	L	0		128
24	WESTLAKE	0	L	80		110	MIT			110
25	T-SOMA	60	P	40	P	0		0		100
26	LG(TONTRU)	10	L	80	L	10	L			100
27	FOUNDER	50	B/P	40	I/P	0				90
28	JIANSONG	0		78	C	0				78
29	KTC	60	B/S	10	I	0				70
30	KSAI	47	S	18	S/I	2	S			67
31	HEMC	12	S	53	S	0				65
32	LIKON	30	S	30	L/S	0				60
33	DTS	40	P	20	P	0				60
34	LANGUANG	40	O/P	15	L	0				55
35	YUAN ZIN	10	S	22	L	17	L			49
36	COVEFORD	15		15		12				42
37	BIGTIDE	0		35	P	0				35
38	GUANLI			24		0				
39	OTHERS	20		10		2				32
TOTAL		2,690		6,798		4,238		144		13,870
%		19%		49%		30.56%		1.04%		

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